

OFFICIAL FILE

ORIGINAL

ILLINOIS COMMERCIAL COMMISSION
American Telephone Company LLC
Application for Certificate of
Local and Interexchange Authority
to operate as a reseller of
telecommunications services throughout
the State of Illinois.

Docket No.

07-0294
ICC Office Use Only

APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER

GENERAL

1. Applicant's Name

FEIN # 20-5108783

American Telephone Company LLC

Address: Street 200 Parkway Drive South, Suite 102

City Hauppauge State/Zip NY, 11788

2. Authority Requested: 13-403 Facilities Based Interexchange

☒ 13-404 Resale of Local and Interexchange

13-405 Facilities Based Local

3. Request for waivers/variances: In applications for local exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting and explain why Applicant is requesting each waiver/variance.

☒ Part 710 Uniform System of Accounts for Telecommunications Carriers

83 IAC Part 710. Pursuant to Section 13-402, Applicant requests waiver of 83 Illinois Administrative Code ("IAC") Part 710, the Uniform System of Accounts for Telecommunications Carriers, as it relates to the authority requested, with the understanding that Applicant will maintain its accounting records using generally accepted accrual accounting practices. Applicant will maintain its records in a level of detail similar to the accounting system, which it currently uses and in sufficient detail to comply with all applicable tax laws.

☒ Part 735 Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service and Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois

☒ Section 735.180 Directories

83 IAC Part 735. Applicant further requests waiver of 83 Illinois Administrative Code Part 735, Procedures Governing the Establishment of Credit, Billing, Deposits, Termination of Service, and Section 735.180, Issuance of Telephone Directories for Local Exchange Telecommunications Carriers in the State of Illinois, to the extent waivers of Part 735 have been granted to competitive carriers. Holding Applicant to the requirements of Part 735 while according its competitors waiver of these provisions, would constitute an unfair advantage to Applicant's competitors. Applicant seeks waiver of Part 735 to maintain competitive parity and a level of regulation appropriate to the wholesale services Applicant proposes to provide. The granting of this requested waiver and variance is consistent with the Commission's original order granting Applicant a Certificate of Authority and the purpose and underlying policy of Article XIII of the Act.

☒ Other

83 IAC Part 250. Applicant requests a waiver of 83 Illinois Administrative Code Part 250, with respect to maintaining corporate records within the State of Illinois. Applicant does not intend to open an office in Illinois, nor will it employ individuals or engage agents in Illinois who would retain corporate records, other than technicians to perform inside wire maintenance work. Applicant intends to keep its books and records in its Hauppauge, NY office, and will make such books and records available to the Commission upon request.

4. For all applicants requesting local exchange authority under Section 13-404 or Section 13-405, please complete the following:

- (a) the Standard Questions for Applicants Seeking Local Exchange Service Authority found in Appendix A of this document
- (b) the 9-1-1 Questions for Applicants Seeking Local Exchange Service Authority found in Appendix B of this document;
- (c) the Financial Questions for Applicants Seeking Local Exchange Service Authority found in Appendix C of this document; and
- (d) if applicable, the Prepaid Service Questions for Applicants Seeking Local Exchange Service Authority found in Appendix D of this document.

5. In what area of the state does the Applicant propose to provide service?

Statewide, throughout Illinois

6. Please attach a sheet designating contact persons to work with Staff on the following:

- a) issues related to processing this application
- b) consumer issues
- c) customer complaint resolution
- d) technical and service quality issues
- e) "tariff" and pricing issues
- f) 9-1-1 issues
- g) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address.

Attached hereto as EXHIBIT A

7. Please check type of organization?

☐ Individual
☐ Partnership

☐ Corporation
Date corporation was formed _____
In what state? _____

☒ Other Limited Liability Company

8. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

Applicant is a Limited Liability Company organized under the laws of the State of New York. A certified copy of the Applicant's Articles of Organization are attached hereto as EXHIBIT B. A copy of Illinois's Certificate of Authority to Transact Business is attached hereto as EXHIBIT C.

9. List jurisdictions in which Applicant is offering service(s).

Applicant is currently providing Competitive Local Exchange Services and Intrastate Interexchange Services in New York and New Jersey. Applicant has applications for authority pending in the State of Florida.

10. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

____ YES (Please provide details) ☒ NO

11. Have there been any complaints or judgments levied against the Applicant in any other jurisdiction?

____ YES ☒ NO

If YES, describe fully. _____

12. Has Applicant provided service under any other name?

____ YES ☒ NO

If YES, please list. _____

13. Will the Applicant keep its books and records in Illinois? ____ YES ☒ NO

If NO, permission pursuant to 83 Ill. Adm Code Part 250 needs to be requested.

83 IAC Part 250. Applicant requests a waiver of 83 Illinois Administrative Code Part 250, with respect to maintaining corporate records within the State of Illinois. Applicant does not intend to open an office in Illinois, nor will it employ individuals or engage agents in Illinois who would retain corporate records, other than technicians to perform inside wire maintenance work. Applicant intends to keep its books and records in its Hauppauge, NY office, and will make such books and records available to the Commission upon request.

MANAGERIAL

14. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

The resumes of the Applicant's key personnel are attached hereto as EXHIBIT D.

15. List officers and directors of Applicant.

Leo J. Giardina: Managing Director and Secretary

Mark E. Peterson: Treasurer

Basil Alexander Stepanov: Director of IT Services

16. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services? ☒ YES ☐ NO

If YES, list entity. GlobalTel Communications, Inc.

Attached hereto as EXHIBIT E please find a detailed ownership structure for the Applicant.

17. How will Applicant bill for its service(s)?

The Applicant will bill monthly for service subscribed to. Each Customer Invoice will clearly detail all charges for service, call detail records if applicable, and a line by line breakdown of all federal, state, and local taxes, surcharges and fees.

18. How does Applicant propose to handle service, billing, and repair complaints?

The Applicant maintains an In-house Customer Service Department staffed during normal business hours to address all possible service, billing, and repair complaints. Customers can reach the Applicant's Customer Service Department Toll Free at 888-9-GETATC (888-943-8282), by e-mail at customercare@getatc.com, or by opening an online trouble ticket from the Applicant's Homepage of <http://www.americantelephonecompany.com/>.

19. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? ☒ YES ☐ NO

20. What telephone number(s) would a customer use to contact your company?

888-9-GETATC (888-943-8282)

21. Will Applicant abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act?

☒ YES ☐ NO

22. Please describe applicant's procedures to prevent slamming and cramming of customers?

Letter of Authorization will be required before switching, in addition to third-party verification.

23. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 730, 732, 735, 755, 756, 757, 770, and 772?

☒ YES ☐ NO (If no, please provide an explanation.)

24. Is Applicant aware that it must file tariffs prior to providing service in Illinois?

☒ YES ☐ NO

FINANCIAL

25. Please attach evidence of Applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

American Telephone Company LLC (ATC) is a newly formed Limited Liability Company organized under the law of the State of New York. The State of New York State Department of Public Service Granted ATC a Certificate of Public Convenience and Necessity as a Reseller of Telephone Services with the authority to provide Local Exchange Services on September 25, 2006. As such, audited financial information is unavailable for ATC.

American Telephone Company respectfully requests the financial strength of its parent company, GlobalTel Communications, Inc. be considered as basis for meeting the financial requirements set forth in this application. Attached hereto as EXHIBIT F are the last three years financial statements for GlobalTel Communications, Inc. as attested to by the Applicant's Accounting Firm, Imperato Agency, Full Financial Services.

TECHNICAL

26. Does Applicant utilize its own equipment and/or facilities? ☐ YES ☒ NO

If YES, please list the facilities Applicant intends to utilize. Also include evidence that Applicant possesses the necessary technical resources to deploy and maintain said facilities:

If NO, which facility provider(s)'s services does the Applicant intend to use?

PAETEC Communications, Inc.

27. Please describe the nature of service to be provided (e.g., operator services, internet, debit cards, long distance service, data services, local service, prepaid local service).

The Applicant will provide basic local service, local calling features, Intrastate/IntraLATA long distance, Toll Free Service, Data, and Conferencing Services. The Applicant does not intend to provide prepaid local service. Operators Services will be provided by the Applicant's underlying carrier.

The Applicant is also an end-to-end telecommunications consulting and management company. Their business model is structured to provide businesses with consultative solutions, unparalleled service and Industry Best Customer Care. The Applicant delivers a broad array of telecommunications solutions including voice, data, internet, VoIP and hosted PBX.

28. Will technical personnel be available at all times to assist customers with service problems?

☒ YES ☐ NO

29. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? X YES NO


(Signature of Applicant)

EXHIBIT G

Verification Affidavit

VERIFICATION

This application shall be verified under oath.

OATH

State of New York

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County of Suffolk

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Leo J. Giardina makes oath and says that he is Managing Director of American Telephone Company LLC, that he has examined the foregoing application and that to the best of his knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.


(Signature of affiant)

Subscribed and sworn to before me, a Notary Public/

Notary Public

(Title of person authorized to administer oaths)

in the State and County above named, this

2ND

day of

April

2007


(Signature of person authorized to administer oath)

